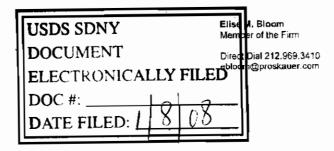
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## PROSKAUER ROSE LLP



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U.S. DISTRICT JUDGE S. D. N.Y.

## By Facsimile

January 7, 2008

The Honorable Harold Baer, Jr. United States District Judge United States Courthouse 500 Pearl Street New York, New York 10007

te: Aleyn et al. v. Jean-Georges Enterprises, LLC et al., 07 cv 6276

## Dear Judge Baer:

We represent the Defendants in the above referenced matter. We write to update Your Honor on the status of the private mediation discussed at our September 6, 2007 court conference. As you are aware, the parties selected a private mediator and since the last court conference have had an in-person mediation session with her and some follow-up telephone calls. However, to date, the parties have been unable to reach a resolution.

At the court conference in this matter on September 6, 2007, Your Honor had offered to act as a mediator in this matter. Defendants still believe this matter can be resolved before significant attorneys' fees are expended and resolution becomes more difficult because of those fees. Accordingly, Defendants respectfully request that Your Honor schedule a settlement conference in this matter.

We thank the Court in advance for its attention to this matter.

Respectfully submitted,

Elise M. Bloom

cc: Maimon Kirschenbaum (via facsimile)

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## Case 1:07-cv-06276-HB-DCF Document 33 Filed 01/08/2008 Page 2 of 2 Endorsement:

I'm glad to try my hand if and only if both sides want me to and both sides want to get rid of the matter and both sides will submit a 2-3 page ex parte letter telling me where they are and where they want to be and a paragraph about the facts as they see them - if this is all OK and you realize the PTSO remains in effect call Chambers for a date, first checking your own calendars.